



General Assembly

January Session, 2003

Committee Bill No. 5174

LCO No. 3575

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT AUTHORIZING DERRICK BETTON TO BRING A CIVIL
ACTION AGAINST THE COMMISSIONER OF TRANSPORTATION.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (*Effective July 1, 2003*) Notwithstanding the failure to give
2 written notice of injuries allegedly sustained through the neglect or
3 default of the state or any of its employees by means of a defective
4 highway which it is the duty of the Commissioner of Transportation to
5 keep in repair, and to give a written description of such injuries and
6 the cause thereof and of the time and place of their occurrence, to the
7 commissioner within ninety days thereafter as required by section 13a-
8 144 of the general statutes, and notwithstanding the failure to bring a
9 civil action against the commissioner within two years from the date of
10 such injuries as required by said section 13a-144, Derrick Betton is
11 authorized to institute and prosecute to final judgment a civil action
12 against the Commissioner of Transportation pursuant to said section
13 13a-144 to recover damages for injuries sustained by him on September
14 7, 1996. The commissioner shall be barred from setting up the failure to
15 give such notice and description and bring such action within the time
16 limitations specified by said section 13a-144 as a defense to such action.

This act shall take effect as follows:
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Section 1	<i>July 1, 2003</i>
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Statement of Purpose:

To authorize Derrick Betton to bring a civil action against the Commissioner of Transportation for injuries allegedly sustained by reason of a defective highway.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. CHAPIN, 67th Dist.

H.B. 5174